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Paper 86

Filed: October 20, 2006

UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

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Patent Interference No. 105,398 (RT)

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POLIMERI EUROPA S.P.A.  
(10/740,801),  
Junior Party,

v.

GENERAL ELECTRIC COMPANY  
(09/682,286),  
Senior Party.

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DECLARED: 12 January 2006

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Before HANLON, TORCZON, and NAGUMO, *Administrative Patent Judges*.

NAGUMO, *Administrative Patent Judge*.

JUDGMENT — REQUEST FOR ADVERSE - Bd.R. 127(b)

On 18 October 2006, Polimeri filed a request for  
adverse judgment under Bd.R. 127(b). (Paper 85.)

Accordingly, it is

ORDERED that adverse judgment as to priority with  
respect to Count 1, the sole count in this interference, is  
entered against Polimeri.

FURTHER ORDERED that Daniele Delledonne, Franco Rivetti, Eugene Pauling Boden, Ganesh Kailasam, Larry Neil Lewis, Alberto Nisoli, John Yaw Ofori, Angel Sanchez Gonzalez, and Ignacio Vic Fernandez are not entitled to a patent containing claims 1-23 of application 10/740,801.

FURTHER ORDERED that this paper be given an appropriate number and placed in the files of applications 10/740,801, and 09/682,286.

FURTHER ORDERED that if there is a settlement, the attentions of the parties are directed to 35 U.S.C. § 135(c) and Bd.R. 205.

<u>/Adriene Lepiane Hanlon/</u>	)
ADRIENE LEPIANE HANLON	)
Administrative Patent Judge	)
	)
	)
	)
	)
	)
	)
<u>/Richard Torczon/</u>	)
RICHARD TORCZON	)
Administrative Patent Judge	)
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	)
<u>/Mark Nagumo/</u>	)
MARK NAGUMO	)
Administrative Patent Judge	)

BOARD OF  
PATENT APPEALS  
AND  
INTERFERENCES  
TRIAL SECTION  
MERITS PANEL

Interference 105,398

Paper 86

Polimeri Europa v. General Electric Co.

cc (via electronic mail)

For Polimeri Europa S.p.A.: Richard L. Treanor, Stefan U. Koschmieder, and W.Todd Baker, OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C., of Alexandria, Virginia.

For General Electric Co.: Eric C. Woglom and Thomas J. Vetter, ROPES & GRAY LLP, of New York City, New York.

**Despertt, Sonja**

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**From:** Despertt, Sonja on behalf of Interference Trial Section  
**Sent:** Friday, October 20, 2006 7:42 PM  
**To:** 'Baker, Todd (OBLON SPIVAK)'; 'Koschmieder, Stefan (OBLON SPIVAK)';  
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& GRAY)'; 'Woglom, Eric (ROPES & GRAY)'  
**Subject:** Interference 105398 (MN) Paper No. 86 - Judgment-Bd.R. 127(b)  
**Attachments:** jd105398\_086.pdf

10/27/06